

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: Minde Properties Inc.
% Richard Mindemann
W 1551 Hwy B
Sullivan, WI 53178
2. Type of action: Application to Change Water Rights 40P 10276100 and 40P 30049995
3. Water source name: Groundwater
4. Location affected by project: Sec 30 T23N R47E
Sec 31 T23N R47E
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
This is a change application for additional places of use via additional stock tanks. In 2007 the applicant cost-shared a pipeline project with the McCone County NRCS. The purpose of this project was to provide stock tanks to several pastures in an effort to increase grazing efficiency. The applicant drilled a new well as part of this project. In the water right application for the new well the applicant stated that the new well was manifold to an existing well. This change application includes the water rights for both wells. The combined flow of the two wells is 10 gpm and the total volume is 2.05 AF. The two wells supply water to a semi-buried 5000 gallon tank using a float system to fill the tank on an as-needed basis. The water is then distributed to ten tanks through several miles of 1½" buried pipeline. The stock tanks are on a float system that allows the tanks to be filled independent of the operation of the wells. The water will be diverted from the storage tank at a rate of 4 gpm. The operator will use only those tanks in pastures that are occupied with stock.

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Dept. of Environmental Quality Website – Clean Water Act Information Center
MT. National Heritage Program Website - Species of Concern
USDI Fish & Wildlife Service Website - Endangered and Threatened Species

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: No impacts identified.

This is a groundwater application.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: No impact identified.

The source of water is groundwater and not on the DEQ list.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: No impact identified.

This project consists of two existing wells that have a depth of 225 feet and 250 feet. There are no named surface water sources within a one mile radius of each well. There should be no impact on surface water in the area of this project.

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: No impact identified.

The diversion works consist of two existing wells that have been manifold together to supply water to semi-buried storage tank with an elevation of 2,900 feet and several miles of buried transmission line to 10 stock watering tanks. The storage tank will have a float system that allows the tank to be filled independent of the demand at the stock tanks. This system reduces the number of times the well pump will turn on and shut off, thus reducing wear and tear on the equipment. Water will be conveyed from the storage tank through a 1½" buried transmission line to the stock tanks as needed. The stock tanks will use a float system that will allow the tanks to fill from the storage tank on an as needed basis. Approximately three tanks will be used at a time. When the livestock are rotated to a new pasture, the tank at that location will be turned on and the tank from the vacated field will be turned off.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

Determination: No impact identified.

The Montana Natural Heritage Program website was referenced to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern” in vicinity of Township 23N and Range 46E and Township 23N and Range 47 that could be impacted by the proposed project. The Bureau of Land Management and the State of Montana identified the Loggerhead Shrikes (*Lanius Ludovicianus*) as sensitive.

The wells for this project are located on developed homesteads and the pipeline will be in fields that have historically been grazed. It is unlikely that this project will create any impacts on the sensitive species in this area.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: No impact identified.

There are no existing wetland in the area of this project.

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: No impact identified.

This project does not include a pond.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: No impact identified.

This project should not impact soil quality, alter soil stability or moisture content. There is no saline seep in this area.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: No impact identified.

This project has a minimal footprint. The applicant is responsible for re-establishing vegetative cover and the prevention of the spread of noxious weeds.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: No impact identified.

The should be no significant impact on air quality relating to this proposed project.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

Determination: This project is not located on state or federal land and this section is not applicable.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: No impact identified.

No additional impacts on additional environmental resources were identified.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: No locally adopted environmental plans or goals have been identified.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: The project area is private property, with no access to public recreational or wilderness activities.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: No impacts to human health have been identified.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ N X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: Private property rights will not be impacted by this proposed action.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? No significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (c) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact
- (g) Industrial and commercial activity? No significant impact
- (h) Utilities? No significant impact
- (i) Transportation? No significant impact
- (j) Safety? No significant impact
- (k) Other appropriate social and economic circumstances?

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: No secondary impacts have been identified.

Cumulative Impacts: No cumulative impacts have been identified.

3. *Describe any mitigation/stipulation measures:* There is no mitigation or stipulations planned.

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

The no action alternative to this project would result in the inefficient use of grazing pastures and lack of access to water for livestock purposes.

PART III. Conclusion

1. *Preferred Alternative: The proposed action*

2 *Comments and Responses*

3. *Finding:*

Yes___ No **X** *Based on the significance criteria evaluated in this EA, is an EIS required?*

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant impacts have been identified, there for an EIS is not required for this action.

Name of person(s) responsible for preparation of EA:

Name: Ann L. Kulczyk

Title: Water Resource Specialist

Date: August 15, 2011